

Message Text

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ORIGIN OES-09

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EPA-01 SOE-02 DOE-15 FMC-01 TRSE-00 H-01 INR-10
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FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

AMEMBASSY MEXICO

AMEMBASSY TOKYO

AMEMBASSY MANAGUA

AMEMBASSY PANAMA

AMEMBASSY SAN JOSE

AMEMBASSY PARIS

AMEMBASSY LIMA

AMEMBASSY GUATEMALA

AMEMBASSY SAN SALVADOR

AMEMBASSY TEGUCIGALPA

AMEMBASSY BOGOTA

AMEMBASSY SANTIAGO

AMEMBASSY MADRID

AMEMBASSY LONDON

AMCONSUL HAMILTON

AMCONSUL CURACAO

AMEMBASSY WELLINGTON

AMEMBASSY DAKAR

AMEMBASSY CARACAS

AMCONSUL GUAYAQUIL

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INFO AMEMBASSY QUITO

C O N F I D E N T I A L STATE 173643

E.O. 11652: GDS

TAGS: EFIS

SUBJECT: TUNA CONSULTATIONS

REF: STATE 136900

1. REFTEL INDICATES A SCENARIO FOR PURSUING CONSULTATIONS ON ISSUE OF FUTURE CONSERVATION AND MANAGEMENT OF TUNA IN EASTERN PACIFIC OCEAN WHICH IN EARLY JUNE APPEARED TO BE REASONABLE AND PROMISING APPROACH. THIS SCENARIO INCLUDED INFORMAL CONSULTATIONS WITH IATTC COASTAL STATES IN SAN JOSE AT END OF JUNE AND POSSIBILITY OF SPECIAL IATTC MEETING IN SAN DIEGO IN EARLY AUGUST. THIS SCENARIO HAS BEEN DISRUPTED BY UNWILLINGNESS OF MEXICO TO GO ALONG, AND ALTERNATIVE COURSE OF ACTION NOW BEING PURSUED.

2. DURING ANNUAL US/MEXICO FISHERIES TALKS, QUESTION OF TUNA NEGOTIATING SCENARIO WAS DISCUSSED AT SOME LENGTH WITH AMBASSADOR CASTANEDA, MEXICAN LOS AND FISHERIES NEGOTIATOR. WE WERE ADVISED BY CASTANEDA THAT MEXICO HAD SERIOUS RESERVATIONS ABOUT THE SCENARIO TO WHICH WE HAD TENTATIVELY AGREED WITH COSTA RICA DURING DISCUSSIONS IN MAY GENERATED BY THE SEIZURE OF TWO U.S. TUNABOATS BY THAT COUNTRY. IN ADDITION TO TIMING AND SCHEDULING PROBLEMS, CASTANEDA WAS TROUBLED BY ATTEMPTING TO REACH AGREEMENT ON A REGIONAL

LICENSING SCHEME, WHICH WAS TO BE THE PRINCIPAL FOCUS OF
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THE SAN JOSE MEETING, WITHOUT AT THE SAME TIME AGREEING ON AN ALLOCATION FORMULA AND OTHER FEATURES OF A NEW TUNA REGIME. CASTANEDA ALSO INDICATED MEXICO WAS RELUCTANT TO EMBARK ON ANY COURSE WHICH COULD LEAD TO THE RETENTION OF IATTC AS OPPOSED TO A COMPLETELY NEW ORGANIZATION.

3. DESPITE SUBSEQUENT EFFORTS BY US AND COSTA RICA TO PERSUADE MEXICO TO ATTEND MEETING IN SAN JOSE IN LATE JUNE, MEXICO WOULD NOT AGREE TO ATTEND MEETING. INFORMAL CONSULTATIONS WERE STILL HELD IN SAN JOSE JUNE 27-29, BUT ABSENCE OF MEXICO, WHICH MORE THAN ANY OTHER COUNTRY OF THE REGION IS THE KEY PLAYER IN THE NEGOTIATION OF A NEW TUNA REGIME, ENSURED THAT SAN JOSE MEETING WOULD NOT PRODUCE RESULTS OF ANY REAL CONSEQUENCE.

4. ON FIRST DAY OF SAN JOSE MEETING, WHICH IN ADDITION TO US AND COSTA RICA WAS ATTENDED BY PANAMA AND NICARAGUA, COSTA RICA TABLED A DOCUMENT WHICH SET FORTH ITS VIEWS ON CERTAIN PRINCIPLES WHICH MIGHT APPLY IN A FUTURE INTERNATIONAL TUNA CONSERVATION AND MANAGEMENT REGIME. THIS DOCUMENT WAS, IN ESSENCE, AN EXTRACTION OF A NUMBER OF KEY POINTS CONTAINED IN THE JOINT MEXICAN/COSTA RICAN PROPOSAL

MADE LAST SEPTEMBER DURING THE FIRST (AND SO FAR, ONLY) PLENIPOTENTIARY CONFERENCE HELD ON THE EASTERN PACIFIC TUNA QUESTION. THE NEW DOCUMENT, HOWEVER, CONTAINED TWO ELEMENTS WHICH WERE NOT IN THE JOINT PROPOSAL AND TO WHICH THE UNITED STATES OBJECTED STRONGLY. ONE WAS THE IDEA THAT A COUNTRY COULD SELL, TRADE OR OTHERWISE DISPOSE OF THE UNUSED PORTION OF ITS ANNUAL ALLOCATION OF FISH IN WHATEVER MANNER IT CHOSE, RATHER THAN BE OBLIGED TO MAKE SUCH UNUSED FISH AVAILABLE FOR INTERNATIONAL CAPTURE ON A NONDISCRIMINATORY BASIS. THE OTHER OBJECTIONABLE IDEA PROPOSED BY COSTA RICA WAS THAT THE COASTAL STATE ALLOCATIONS WOULD NOT BE ON AN ANNUAL BASIS BUT WOULD BEGIN AFTER THE SEASON CLOSURE; COASTAL STATE CATCHES DURING THE OPEN SEASON WOULD BE SUPPLEMENTAL TO THEIR GUARAN-

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TEED ALLOCATIONS.

THE UNITED STATES TABLED TWO DOCUMENTS, ONE ON TUNA CONSERVATION AND MANAGEMENT PRINCIPLES WHICH IS ESSENTIALLY THE OUTLINE OF A NEW TREATY, AND THE OTHER A PROPOSAL FOR A POSSIBLE REGIONAL LICENSING SYSTEM. THESE TWO DOCUMENTS AND THE COSTA RICAN DOCUMENT WERE DISCUSSED, MOSTLY IN A GENERAL FASHION, BY ALL THE DELEGATIONS INVOLVED.

5. FOLLOWING IS TEXT OF STATEMENT AGREED TO BY ALL DELEGATIONS FOLLOWING CONCLUSION OF SAN JOSE MEETING:

BEGIN TEXT.... INFORMAL CONSULTATIONS WERE HELD JUNE 28-29, 1978, IN SAN JOSE, COSTA RICA, TO DISCUSS THE CONSERVATION AND MANAGEMENT OF TUNA IN THE EASTERN PACIFIC OCEAN. PARTICIPATING IN THE DISCUSSIONS WERE DELEGATIONS FROM COSTA RICA, NICARAGUA, PANAMA, AND THE UNITED STATES. DOCUMENTS WERE PRESENTED BY THE GOVERNMENT OF COSTA RICA AND THE GOVERNMENT OF THE UNITED STATES RELATING TO CERTAIN PRINCIPLES WHICH MIGHT APPLY IN A FUTURE INTERNATIONAL CONSERVATION AND MANAGEMENT REGIME FOR TUNA IN THE EASTERN PACIFIC. ALSO, THE GOVERNMENT OF THE UNITED STATES PRESENTED A DOCUMENT DEALING WITH A POSSIBLE REGIONAL LICENSING SYSTEM. THESE DOCUMENTS ARE ATTACHED AS ANNEXES TO THIS REPORT.

THE PROPOSALS PRESENTED BY COSTA RICA AND THE UNITED STATES PROVIDED THE BASIS FOR A WIDE-RANGING DISCUSSION AMONG ALL THE DELEGATES ON THE VARIOUS ISSUES INVOLVED. THERE WAS AGREEMENT BY ALL THE DELEGATES ON THE FOLLOWING GENERAL PRINCIPLES: (1) ON THE NEED FOR THE RATIONAL AND EFFECTIVE CONSERVATION AND MANAGEMENT ON AN INTERNATIONAL BASIS OF TUNA IN THE EASTERN TROPICAL

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PACIFIC THROUGHOUT THE RANGE OF THE VARIOUS SPECIES; (2) ON THE NEED FOR AN EQUITABLE ALLOCATION OF THE AVAILABLE TUNA RESOURCES; (3) ON THE DESIRABILITY OF A REGIONAL LICENSING SYSTEM WHICH WOULD INCLUDE UNIFORM AND REASONABLE FEES FOR TUNA CAUGHT IN THE REGION; (4) ON THE DESIRABILITY OF ENSURING THE CONSERVATION AND PROTECTION OF MARINE MAMMALS ASSOCIATED WITH THE POPULATIONS OF TUNAS IN THE EASTERN PACIFIC OCEAN; (5) ON THE

MEASURES. THERE WAS AGREEMENT AMONG THE VARIOUS DELEGATIONS THAT IT WAS APPROPRIATE AND DESIRABLE TO ESTABLISH AN INTERNATIONAL ORGANIZATION TO ACHIEVE THESE AGREED GOALS.

THERE WERE SEVERAL IMPORTANT POINTS ON WHICH THERE WERE DIFFERENCES OF VIEW EXPRESSED BY THE GOVERNMENTS REPRESENTED AT THE MEETING. IT WAS AGREED THAT FURTHER INFORMAL CONSULTATIONS SHOULD BE HELD IN THE NEAR FUTURE, TO INCLUDE OTHER INTERESTED NATIONS, IN ORDER TO ATTEMPT TO RESOLVE THESE DIFFERENCES OF VIEW AND TO DISCUSS OTHER ISSUES RELATED TO THE CONSERVATION AND MANAGEMENT OF TUNA IN THE EASTERN PACIFIC OCEAN. IT WAS AGREED THAT SUCH CONSULTATIONS WOULD BE DESIRABLE BEFORE THE RESUMPTION OF MORE FORMAL NEGOTIATIONS TO PREPARE A NEW TREATY. END TEXT.

6. MEXICO HAS RECENTLY ADVISED USG THAT IT PLANS TO HOST INFORMAL CONSULTATIONS AUGUST 7-10 TO DISCUSS TUNA QUESTION. WE HAVE AGREED TO PARTICIPATE IN SUCH INFORMAL CONSULTATIONS IN LIEU OF SPECIAL IATTC MEETING WHICH WE HAD EARLIER PROPOSED. COSTA RICA HAS ALSO AGREED TO AUGUST ROUND OF INFORMAL CONSULTATIONS. IT IS UNCLEAR AT THIS TIME IF MEXICO WILL INVITE PANAMA, NICARAGUA, ECUADOR, AND PERU. MEETING WILL APPARENTLY NOT BE EXPANDED BEYOND THIS GROUP. IT SHOULD BECOME CLEAR AT AUGUST 7-10 MEETING

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WHETHER OR NOT A TIMELY AGREEMENT ON THE TUNA QUESTION CAN BE ACHIEVED. EVEN UNDER THE BEST OF CIRCUMSTANCES, IT WILL BE DIFFICULT IF NOT IMPOSSIBLE TO REACH AGREEMENT ON A COMPLETELY NEW REGIME BY THE END OF THE YEAR, AND UNLESS SOME TRANSITIONAL ARRANGEMENTS CAN BE WORKED OUT WE COULD WELL BE FACING A PERIOD OF SOME CHAOS IN THE EASTERN PACIFIC TUNA FISHERY.

7. ACTIONS REQUESTED: FOR OTTAWA,TOKYO, PARIS: PLEASE ADVISE HOST GOVERNMENTS OF DEVELOPMENTS AS OUTLINED ABOVE AND POINT OUT THAT, IN LIGHT OF THESE DEVELOPMENTS, US WILL NOT BE HOSTING SPECIAL IATTC MEETING AS PREVIOUSLY PLANNED. WE WILL KEEP HOST GOVERNMENTS ADVISED OF FUTURE DEVELOPMENTS AS THEY OCCUR.

8. FOR MEXICO: PLEASE CONFIRM THAT AUGUST 7-10 MEETING WILL TAKE PLACE AND URGE EARLY CONSULTATIONS WITH COSTA RICA AND OTHERS TO AVOID ANY CONFUSION ON PLACE AND DATES.

9. OTHER POSTS MAY INFORM HOST GOVERNMENTS OF DEVELOPMENTS AS OUTLINED ABOVE RE TUNA NEGOTIATIONS AS THEY DEEM APPROPRIATE AND DESIRABLE. VANCE

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